

SOME REMARKS
ON THE
RESOLUTIONS,

Which were formed at a MEETING of the ARCHDEACONRY
of CHESTER,

HELD AT THE CITY OF CHESTER,

On MONDAY the 15th Day of FEBRUARY, 1790;

WITH SOME

OBSERVATIONS

On the late Arguments of Mr. PITT, and the Conduct of Mr.
BURKE, relative to a REPEAL of the TEST ACT.

By the Rev. J. SMITH, LIVERPOOL.

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SOME REMARKS

RECOLLECTING



INTRODUCTION.

THOUGH the principles which are asserted in the ensuing remarks have been so generally discussed, and so ably defended, that it is hardly in the power of inspiration farther to illustrate their importance, or give additional evidence to their truth; yet the superiour ability and address, which appear in the Resolutions to which these Remarks refer, seem to entitle them to a particular attention. It is wished that the observations may be read with the same candour, and ingenuous regard to truth, with which they were composed;—the writer is as superiour to flattery as he is to fear: But, in justice to himself, it becomes him to declare, that, though he differs in opinion from that Reverend Body who subscribed the Chester Resolutions, yet, from his personal acquaintance with some, and the general reputation of others, he entertains a respectful idea of their abilities,
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their learning, and their virtue. An inferior acquaintance with the human mind, and the origin of its opinions, to that which he has been desirous to obtain, would enable him to account for the doctrine which the resolutions avow, without questioning the extent of the Resolvers' understandings, or the integrity of their hearts.

It may be thought that these Remarks are unseasonably presented to the public, since the Dissenters' application to Parliament has again been rejected. But, as we cannot allow success to be a test of merit, or the opinions of the majority, either *in* or *out* of Parliament, to be the standard of truth, we shall still persevere in our endeavours to enlighten the minds of our countrymen, and accomplish the restitution of our rights; by being silent or inactive, we should fail in our duty to society, and be unjust to ourselves.

Had it been only to serve a temporary purpose, or answer some views suggested by situation, the writer has some doubt whether he should have obtruded his remarks on the public, even in that form which is neither
adapted

adapted to impose on the understanding, nor even to attract an impartial attention. But, if the principles which are contained in *this pamphlet* are true, their truth and their obligation are *eternal*; and they will be acknowledged to be the basis of what is important in religion, and excellent in government, when that doctrine which obstructs the influence of reason, and the rights of man, will be regarded as a tale of former times; which an enlightened posterity is only induced to believe, because the evidence of history irresistibly commands its assent.

SOME

adapted to support on the understanding, not
 even to attract an impartial attention. But
 of the principles which are contained in this
 pamphlet are true, their truth and their im-
 portance are obvious; and they will be acknow-
 ledged to be the basis of what is important
 to religion, and essential in government.
 Every Christian who is concerned in the
 affairs of religion, and the rights of man-
 kind, will be regarded as a friend to the cause
 which an enlightened policy is only to
 direct to follow, because the Christian is
 bound to follow, and the Christian is bound
 to follow, and the Christian is bound to follow.

When I find that the principles of
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SOME REMARKS, &c.

“ I. **T**HAT every state hath an inherent
“ right to require evidence of the
“ opinions of those whom it shall employ in
“ its offices of trust and power, *whether they*
“ *are friendly or hostile to the constitution which*
“ *it hath established*; and that this right
“ arises not merely from laws which may
“ have been enacted by that state, but from
“ *that principle of self preservation which*
“ *belongs to communities as well as indivi-*
“ *duals*, and which is antecedent and supe-
“ rior to all law.”

Answer. No equitable government is pos-
sessed of any power that is not derived from
the consent of the governed, either expressed
or implied. When I enter into society, I tacit-
ly surrender a part of my liberty, to dispose of
my actions, my acquisitions, and my time,
which, in a state of nature, would be at my

own disposal; but there are certain rights, of which government, only originating in necessity, and constituted to provide against the weakness and the vices of man, cannot require a surrender; because such a surrender would neither be possible nor expedient. The right of private judgement is an unalienable right of nature, which, as no individual can exercise it for another, so no individual can transfer it, either to any other individual, or to any collective body of men: This is one of those rights "which are antecedent to, "and therefore superior to all law." It is a right not to be reversed by any civil decree, except upon the plea mentioned by a Roman historian, "*Id enim est æquius quod est fortius.*" No legislature, therefore, tho' it be allowed to prescribe a rule of civil conduct, can be possessed of any *right* to prescribe a system of opinions, because the source from which that legislature must have derived its right, is incapable of conferring it; and whenever such a power is exercised, it is an usurpation, not a right. All that the government of a country can have a right to demand from any individual is, a promise
that

that he will not violate the purpose for which society was formed ; or, in other words, that he will not injure the peace, the property, or the fame of any citizen in the state of which he is a member. If we suppose any legislature to be entitled to advance beyond this line, we suppose them invested with a power which is in its own nature unlimited, viz. a power of determining what opinions are or are not friendly to the state ; which, allowing their understandings to be the test of truth, the right of private judgement is precluded for ever ; and the principle of “ self preservation,” on which is *assumed* this right of requiring evidence of opinions, when permitted to operate to its full extent, will justify every species of persecution which has disgraced the history of nations. To say that at this enlightened period, no legislature will ever make this extravagant use of its power, is certainly a language unfit for wise men to adopt ; sound policy requires us to guard against what men *may* do, not to trust to what they *will* do ; and true philosophy measures the violation of justice, not by the magnitude of the instance, but by the important consequences which flow directly from the principle.

“ II. That

“ II. That upon the same principle, every state hath a right to declare what shall be deemed a sufficient proof, or TEST, whether such opinions are or are not friendly to its establishments.”

Answer. If no state has a right to prescribe any system of opinions, because this would be to exercise a power subversive of the first principles of nature, it is obvious that no state has a right to establish any *Test*, whether such opinions are or are not friendly to the state, since actions alone, and not opinions, are within the jurisdiction of the magistrate.—But even supposing that the legislature of a country has a right to prescribe a Test of opinions to persons whom it employs in any offices of trust, it surely would be unwise to assert, that it has a right to prescribe any Test which is not derived from the nature of the office.—Had I a building to erect, I might expect from my architect some proof of his acquaintance with the principles of his art; but what opinion might be justly entertained of my understanding, should I pronounce him unworthy of my confidence, because he might refuse to subscribe to my religious

ligious or my political creed? The legislature of a country may prefer one sect of Christianity to another; may connect certain emoluments and ecclesiastical honours with the profession of a religious creed. 'Tis this which constitutes an established Church; but till the forms of that establishment which exists in this kingdom, and the theological tenets it proposes as a Test to its members, are proved essential to the existence of our civil constitution, we must assert, that any Test, which is only expressive of a religious profession, when applied as a qualification for civil and military offices, is not only inconsistent with the principles of freedom, but with the obvious dictates of common sense.

“ III. That a compliance with the tests
 “ of conformity which now subsist in this
 “ kingdom, is required from those who are
 “ employed by the state as a pledge, or se-
 “ curity, that they will not attempt any
 “ thing hostile to the established constitu-
 “ tion: that under this view, such *tests* are
 “ not punishments for an opinion, but *re-*
 “ *straints to prevent an evil*; not instruments
 “ of oppression, but *institutions to preserve*
 “ the

“ *the public peace.* And we are so far from
 “ considering them as ‘ *grievances or com-*
 “ *mon evils,*’ that we think ourselves war-
 “ ranted, from the experience of more than
 “ a century, to express our desires that they
 “ may be continued in force (or that some
 “ *other equivalent obligations* may be substi-
 “ tuted in their place) as wise and just pro-
 “ visions for the safety of the state.”

Answer. That the establishment of Tests is both iniquitous and absurd is obvious from that account which is stated in this resolution, as the purpose for which they are appointed, viz. “ a pledge or security that those who conform to them, will attempt nothing hostile to the established constitution.” It is a material objection to any Test of conformity, that it may be equally applied at the discretion of the magistrate for the support of what is true, or the propagation of what is false: That though it cannot accelerate the progress of knowledge, it may give firmness and duration to the empire of error; that it may either be adopted to support a system of tyranny in the state, by
 excluding

excluding the most virtuous and enlightened of its citizens from offices of trust, or become a treacherous auxiliary to a free constitution.* But as a religious Test is only an evidence of religious profession, should it be allowed to preserve from violation the claims of an established church, it can be no protection to ~~the~~^a civil constitution: But suppose it able to operate as a guard upon both, is it just to preclude the influence of my exertions as a citizen, or my enquiries as a philosopher, from contributing to improve the constitution of that country with which I am connected by nature and by interest? Is the engagement into which I enter by complying with this Test worthy of an enlightened

* Constantine the Roman Emperor was converted to the Christian religion about the year 313 of the Christian Æra: He countenanced or established one sect of Christianity. His immediate successor supported another. Julian the Apostate subverted them both, and established the Heathen Temple on the ruins of the Christian Church. This Julian furnished the model of that *Test Act*, of which Christian establishments are now so tenacious. All that were appointed to offices, either in the Government or the Army, were obliged to attend the services of the Heathen Temples, and offer sacrifices to the Roman Gods.

ened policy to propose, or a virtuous citizen to accept? If the object of a *Test* is here properly described, its worst enemies cannot point out its absurdity in language more clear and decisive. It either supposes that the present constitution is too oppressive and absurd to bear the discussions of reason, or too perfect, both in its principles and its forms, to admit of the smallest improvement. The former supposition implies an argument against the propriety of a Test which will be felt in its full force by the meanest understanding; the latter can neither be true in theory, when asserted of any human institution, nor will the most determined advocate for establishments allow it to be justified by fact, when applied to the English constitution.— It is said that a Test is not a punishment for an opinion, but a restraint to prevent an evil. If the evil against which a state should provide, by a Test of Conformity, be a difference of opinion, I see no reason why the state should not appoint a Test to ascertain the public Creed on every subject to which the human intellect can be applied, or why it should be less oppressive to restrain us from investigating the doctrines of policy or religion

gion (which probably we shall not be able to do without hazarding some assertions that may be hostile to the established constitution) than from discussing the principles of morals, philosophy or taste. It may be said that the former of these subjects are more immediately connected with the essential interests of society than the latter; but if those who form the Test are to judge of its application, with the assistance of a prejudiced understanding and a fertile fancy, who will say how far it shall not be construed to extend?—The history of Gallileo is in the recollection of us all: Had the principle which (I agree with the writer of this resolution) is the foundation of every Test, been not only adopted in speculation, but maintained in fact, it would have formed an adamantine barrier against the progress of knowledge; and if no man should be admitted into any office of trust till he could give an unequivocal evidence of his assent to the wisdom and justice of every establishment, (or in other words) of every part of so complex a system as the British Constitution, every statute in our civil, and canon, in our ecclesiastical

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fistical code (and I am justified in extending the principle so far) the action of human affairs must be suspended for ever.

It is asserted in the above resolution, that Tests "are not punishments for an opinion," but restraints to prevent an evil; there is an attempt at refinement in this distinction which is really unworthy of the writer's understanding. The sacramental Test is intended as an evidence of religious profession; the plain language which it holds is this: those are unworthy to be trusted with any power in the state, who refuse to acknowledge the truth of that religious system which is established by law. As an evidence of that acknowledgment, they must attend on a solemn institution according to the forms of the Church of England, and those who cannot comply with this requisition, are marked out to their fellow citizens as unworthy of public trust; and why? not because they are charged with any moral crime or mental incapacity, or hold too mean a rank in society to give them an interest in its security, its freedom and its honour, but because they exercise the right of private judgment, and
refuse

refuse from conscience to adopt the religious creed which is supported by the state ! Religious Dissent, therefore, is considered as a political crime, and by rendering its professors incapable of being eligible to any office under the crown, which can confer either dignity or profit, by degrading them from that rank in society which their talents, their integrity, and their fortune would entitle them to hold, the state punishes their Dissent. Between a positive punishment and a negative restraint, except in degree I confess my understanding is unable to discern the smallest distinction : That which excludes me from an office, and that which subjects me to a positive evil agree in this, that they place me in a worse situation than I should otherwise have been. If from a principle of conscience I am excluded from a lucrative office which is open to persons of a different persuasion, I suffer as much as if government had imposed on me a fine, equal to the advantage I might have gained by the office ; nay, it is easy to suppose a case, in which negative restraints may be a severer hardship than those which are *positive*.—" *The inter-*
diction

diction of fire and water is not a positive punishment, yet the sentence must be followed by banishment or death." * The Reverend
Resolvers

* Those who are acquainted with the origin of the Test Act know, that it was not *intended* originally to operate against Protestant Dissenters ; but an advantage was taken of the sacrifice they made, by a treacherous and Tyrannical Court. When William the III^d. ascended the throne, in one of the earliest speeches he delivered to his Parliament, he expressed an earnest hope, that such alterations would be made in the law as would leave room for all his Protestant subjects, who were able and willing, to serve him ; but the strongest party in Parliament was not the party of the Court, and the desire which the Monarch had expressed of union among all his Protestant subjects was entirely over-ruled. Some men of the foremost rank, for greatness of character, supported with unanswerable reasons, the sentiments of their Sovereign.---One of their arguments is expressed as follows : " Because we cannot
" see how it can consist with the laws of God, common
" equity, or the right of any free born subject, that any
" one be *punished* without a crime. If it be a crime not
" to take the Sacrament according to the Church of Eng-
" land, every one ought to be *punished* for it, which nobody
" affirms. If it be no crime, those who are capable, and
" thought fit for employment by the King, ought not to be
" punished with a law of exclusion, for not doing that
" which is no crime to forbear." At a conference between the two Houses of Parliament, on the subject of
a bill

Resolvers assert that they "are warranted by the experience of more than a century to express their desire, that these restraints may be continued;" this is, certainly a very extraordinary argument to be adduced by gentlemen of such ability and address. If the existence of any thing is a proof of its necessity and importance, it is an argument that may be equally applied to defend the continuance of a bill to prevent occasional conformity, the whole House of *Peers* expressed, in more emphatical language, their abhorrence of the injustice of the *Test Act*.

An Englishman cannot be reduced to a more unhappy condition, than to be put by law under an incapacity of serving his Prince and Country, and therefore nothing but a crime of the most detestable nature ought to put him under such a disability. In the eye of the law, this capacity for the service of the state is a right of such value, that exclusion from it is deemed a proper *punishment* for some of the worst of crimes. It is annexed to perjury, and a profligate breach of trust: The same *punishment* is annexed to *opinions*, and opinions that are purely *religious*. It annexes it to the exercise of a right which the learned Blackstone emphatically declares, "No time, no place, no compact, no authority of government can possibly destroy."

See Mr. Beaufoy's Speech on the Repeal, &c.

of any absurdity or injustice, that has ever been adopted ; except the peace and happiness which has been enjoyed in this country can be proved to be derived from these obnoxious Tests, their importance is only supposed, because they are found to exist. To illustrate the weakness of this argument would be to insult the plainest understanding : It is in the recollection of many Dissenters that this argument was adduced by the Established Clergy, against our petition to parliament for relief from the subscription to the articles of the church ; which was obtained on our third application in 1779. It was said to be an attempt which was dangerous and hostile to the Established Constitution : “ That the experience of nearly a “ century” had proved that the law which required us to subscribe, was a wise and just provision for the safety of the state ; and yet the exemption, which the wisdom and justice of parliament granted to our prayer, has neither endangered the emoluments of the Church or the safety of the State ; and that more liberal toleration it extended to Dissenters, is now justified by the same order

der of men, by which it was violently opposed.* If there are some whose understandings are too cautious to admit the justice of a general principle, till its safety has been confirmed by the evidence of fact, let this instance be an instruction to them and their successors for ever.†

IV. That

* See the 8th Resolution.

† “ So little have the Clergy been distinguished for
“ moderation, that they have frequently disturbed the na-
“ tion, by their affected alarm for the safety of the Church,
“ and persecution is never to be apprehended as so near, as
“ when those, who are actually possessed of power, cry out,
“ that they are in danger.

“ Since the accession of the House of Brunswick, the
“ Church hath merited every praise, because it has not been
“ indulged in its whims or imaginary fears. Since this
“ time it has flourished and improved. But how? by
“ toleration and moderate behaviour. And how have
“ these been produced? By the members of the Established
“ Church being forced to hear the arguments of the Dis-
“ senters---by their being obliged to oppose argument to
“ argument, instead of imposing silence by the strong
“ hand of power. Moderation, and indulgence to other
“ sects is equally conducive to the happiness of man-
“ kind, and the safety of the Church. And for that mo-
“ deration and liberality by which the Church has flou-
“ rished

“ IV. That it is no valid objection to
 “ these TESTS, that they call in the *sanction*
 “ of religion to purposes merely civil. To
 “ secure allegiance to lawful government,
 “ certainty to the payment of its taxes and
 “ tributes, and veracity to legal testimo-
 “ ny in its courts of judicature, are *purposes*
 “ merely civil: and yet they are ALL re-
 “ quired and enforced under the *religious*
 “ *sanction of an oath.*”

Answer.

“ rished, during the two last reigns and the present, is she
 “ indebted to those very Dissenters from whom she thought
 “ herself in danger.

“ The Test Act was introduced to exclude the Papists,
 “ and them only, from office; the Dissenters cordially join-
 “ ed in it, and consented in their own exclusion; thinking
 “ that a less evil than to leave the door open to Papists; and
 “ will the Church take advantage of their patriotism, and
 “ convert what they consented to as necessary for the gene-
 “ ral safety of *that* time, into a perpetual exclusion against
 “ themselves? Is it thus she rewards the service they have
 “ done her in the day of her distresses!”

See Mr. Fox's Speech on the Repeal of the Test Laws.

Though certain principles which have been in fashion
 at one time have been rejected at another, yet never
 was there a time when a Test was taken for civil opini-
 ons,

Answer. An oath is a civil institution, appointed by civil authority, as an awful bond of civil obligation. The Sacrament is a religious institution, appointed by divine authority, for a purpose which is clear and specific, to commemorate the life, the sufferings, and the death of Christ. The former is a solemn pledge for my performance of legal engagements, and is intended to secure my integrity as a citizen: The latter is designed to evidence the profession, and to enforce the principles and duties of a Christian. If an oath had been appointed by the founder of our religion, to be administered

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in

ons, in any case whatsoever; and this is of more importance than in matters of religion: But the Test Act is no protection to the ecclesiastical constitution, because a man may conscientiously receive the sacrament in the Church of England, if he believes its articles, and acknowledges a right in the civil magistrate to prescribe doctrines of faith, without being a friend to the Hierarchy.

One singular reason which has been urged by a noble Lord, in favour of an exclusive Test, is that the Clergy are neglectful of their duty. I by no means can justify the truth of the assertion; but it shews in what a labyrinth of nonsense an acute man may be involved, when he labours to maintain error by argument.

in our assemblies, by a competent authority, as an evidence of religious profession, and had this religious sanction been expressly allowed to be applied as a qualification for civil and military offices in the state, the argument, from an express appointment in one case, to a supposed allowance in another, might have had some appearance of logical correctness, and have defended the civil application of a Christian Rite; but as this is not the case, I think it is beyond the stretch of genius, however acute, to point out such a resemblance between these two institutions, as will justify, by analogy, the Sacramental Test.

“ V. That to insist upon *natural* claims
 “ to *civil* offices, is to advance a palpable
 “ absurdity; because no member of any so-
 “ ciety can have any *civil rights*, except
 “ such as are conveyed to him by the *laws*
 “ of *that society*.”

Answer. The Reverend Resolvers have created a refutable doctrine, by making it their own. No Dissenter ever asserted his natural claim to any civil office; we only assert,

assert, that no arbitrary institution ought to render us ineligible to any office, if the choice of our Sovereign should appoint us to the trust. An equal right to be eligible to an office, and an actual claim to be chosen to that office, are very different things. “ A
 “ barrister has no right to claim the situa-
 “ tion of a judge, but every barrister has a
 “ right to be deemed capable in *law*, of an
 “ advancement to that situation, if his Ma-
 “ jesty shall name him to the office. No
 “ soldier has a right to actual promotion,
 “ but every soldier has a right to be deemed
 “ capable in law of promotion, if his merits,
 “ in the estimation of his Sovereign, shall
 “ entitle him to that honour,” I agree then with the Reverend Resolvers, that to insist on a natural claim to civil offices would indeed be absurd; but where is this assertion to be found?

The Test Laws we say infringe our *social* rights *; society necessarily requires that many

“ Whenever the laws infringe directly or indirectly
 “ our social rights, they are at variance with the primery
 “ objects

many natural rights should be given up ; but no encroachments should be made on those rights, by the laws, that are not necessary to the good of society : The social rights of man are those natural rights which may with safety and propriety be admitted into a state of society, and whenever the laws of any country infringe on these rights, they ought to be repealed.

The Reverend Resolvers have confounded the rights that *may* be enjoyed in society, with the rights that *are* enjoyed. According to them, no man can have a *claim* to rights that are not actually allowed by law ; but if this be the case, a law once passed can never be opposed on the principles of right ; and arbitrary power, when recognised by law, as it was once in England, and till lately in France, must be eternal. What say you to this, ye enlightened heroes of freedom !

“ objects of all good government. The Test and Corporation Acts inflict penalties and deprivations on the exercise of social rights, and ought therefore to be repealed.”

See Liverpool Resolves.

dom! that in the last century *created* the liberty of England, and who, at the present moment, are subverting *legal tyranny* in France.

“ VI. That as the Dissenters do not suffer, or even alledge that they suffer, any restraints on their *religious liberties*, it is evident that their present design (which indeed some of their leaders openly avow) is *a contest for the possession of the civil offices of the state*. But we conceive that those offices are to be considered only as *TRUSTS for the benefit of the state*, and therefore that they ought not to be confided to those who testify their *disaffection to the state* by their *aversion to its establishments*.”

Ans. This resolution is founded on a palpable mistake. From whence the Rev. Resolvers derived their knowledge of our principles, I am at a loss to determine; but, as I have a more extensive acquaintance with Dissenters than probably their situations have enabled them to obtain, I shall take the liberty of correcting the mistake; and, I assure them

them, that Protestant Dissenters will never consider themselves in the full possession of religious freedom, till every *negative*, as well as every positive restraint is removed from the exercise of their religion. And if a calm and peaceable assertion of their equal rights must be termed a contest for civil offices in the state, they think it is a contest which it would be as dishonourable for them to relinquish as it is for their adversaries to maintain. If, by aversion to the establishments of our country (cautiously expressed in the plural) be meant a disaffection to its civil constitution, this is a charge which every Dissenter will repel with scorn. "Our loyalty is as pure, our affection as generous, our exertions as liberal, and our attachment to the constitution of our country as enlightened and ardent as any of its most honoured subjects can justly boast." If by establishments be meant the constitution of the Church, though we cannot subscribe to her religious Creed, our opposition to her principles has been open, rational and candid: ~~We~~ have no latent ambition under the mask of religion, nor do we aspire to
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one honour or emolument she can bestow ;
and till her doctrines and her forms of discipline are proved essential to our civil constitution, our claim to a share in its honours and its offices of trust remain unimpeached.

“ VII. That although we hold sacred
“ the rights of private conscience, and regard with Christian charity those who
“ through its dictates *mistakenly* (as we believe), reject the terms of our communion; yet we consider that very plea of
“ conscience as an insuperable objection
“ to their admission into the *civil offices of the state*. For where the separation of any
“ Christians from the established communion is made, *because the terms of that communion are held to be sinful*, such separatists would not be justifiable, on any
“ consistent principles, if they did not exert all the power and authority which
“ the possession of civil offices might confer,
“ in order to substitute *their own tenets and terms of communion in the place of those of the establishment*: in which, however, they
“ could not succeed, but by the destruction
of

“ of our present constitution in church and
 “ state.

Answer. In this resolution, the conscience we have urged as a plea for our separation from the Church, is adduced as an argument to oppose our claim. Admit the Dissenters into office, and, because they are men of principle, they will overturn the Church; but whatever our inclination may be to demolish a fabric we are not suspected to admire; yet, if we were relieved from the Test and Corporation Acts, we should gain no additional power to accomplish this purpose: We should only become eligible to an office, but the actual choice of any candidate who might solicit for the office, would be determined either by the King or a majority who are friends to the establishment; and those who assented to this resolution, seem not to have considered that any alteration in the Established System of this country, whether ecclesiastical or civil, must originate, not with excisemen, officers, or justices of peace, but with the legislature; into which there is no Test of Conformity to prevent our admission.

But

But happily for us, the present æra, the most enlightened in the history of man, enables us to oppose to an imaginary evil, and an argument founded on conjecture, the instruction of example, and the evidence of fact. Whatever apprehensions, real or pretended, may be formed in the minds, either of the interested or the timid, of danger arising to the establishment, from admitting Dissenters into offices of trust, the experience of Scotland, Ireland, America, France, Germany, and Holland, is an answer to them all. It is asserted that “if we are men of consistent principles, we must exert the power which civil offices may confer, to substitute our own tenets and terms of communion, in the place of those of the establishment*.” In the mind of an advocate for established systems, imposition and terms of communion are so connected with religion, that when he contem-
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plates

* As the establishment of the Church of England can only be justified on the supposition that it is agreeable to the sentiments of the majority, “If the majority of the people of England should ever be for the abolition of the Established Church, then it ought to be abolished.”

See Mr. Fox's Speech:

plates the one, the idea of the other is naturally present: That which he has experienced in his own sect, he naturally considers ~~con-~~^{ed} ~~siders~~ as the character of another, and even to belong to *Christianity itself*. Had I not been told, however, that when once a man is determined to believe the very absurdity of an opinion confirms him in his faith, I should endeavour to chase the phantoms which must have tortured the fancy of the Reverend Resolvers, by the declaration of a truth, with which, as learned men, they should not have been unacquainted viz. That we have no common system of tenets, nor have our societies any terms of communion to impose upon their members. One is *our* master, even Christ, and whatever reverence we may feel for the opinions of our most enlightened brethren, it is only in subordination to our reverence for truth. We believe the bible to contain the religion of Protestants, and the right of private judgment, which justified a separation from the Romish Church, is the foundation of our Dissent from the establishment of this kingdom; and as we assert universally the right of

of

of toleration, we are of course bound to allow that to others which we claim for ourselves. The terms of communion with which it would be sinful in us to comply, because, contrary to the dictates of our reason, are not sinful to those whose minds can assent to their propriety and their truth. It is the right of judging for ourselves, that we assert, it is the right of others to judge for us, of which we complain; and if it be a crime to prefer the pure doctrines of Christianity interpreted by the light of our own understanding, to any establishment which the most consummate genius and policy of man has power to devise, we are of all men the most guilty.

“ VIII. That for these reasons and considerations, as it is our earnest desire on the one hand, that they who dissent from the established worship should enjoy a COMPLETE TOLERATION *in the offices of religion*; so it is equally our wish on the other hand, that they may be *excluded from the civil offices of the state*; it being our humble, yet firm and decided opinion, that, as a good government cannot give
“ them

*“ them too much ease, so a wise government
 “ cannot trust them with too little power.”*

Ans. The only position which is deserving of remark in this Resolution, is that which appears at the conclusion of the sentence; and the attention it commands, is not from the strength or novelty of the doctrine, but from the delicacy and caution with which it is expressed, “ as a good government cannot give them too much ease, so a ~~wise~~ ^{wise} government cannot trust them with too little power.” To colour over a principle which reason is unable to defend, requires a commanding power over all the shades of language. Persecution is a term of unpopular estimation, and therefore, when it is the intention of a writer to insinuate the idea which it formerly expressed, a phraseology is adopted, which a plain understanding is hardly able to comprehend. The phrase to which I allude, will, I know be justified by that distinction between negative restraints and positive punishment, which is controverted above. But if the ~~writer~~ of this sentence, and those who have given it the sanction of their names, had come forward directly

directly with an assertion, that persecution is necessary to a certain point, we should have thought more highly of their candour, and not have entertained a worse opinion of their Christian meekness.*

From the above observations, I hope it will be evident to an unprejudiced mind, that Tests of conformity, as in their principle they subvert the first rights of nature, which the obligations of society do not require us to renounce, as they are unfriendly to the progress of knowledge and virtuous improvement, they must be opposed by every generous maxim of an enlightened age.— Reason unfettered by restraint and left to its own operations, is like a copious stream, brilliant in prospect, and fruitful in its course; while that dull uniformity which restriction may create, is like a stagnant water which taints the atmosphere without fertilizing the soil.

But

* The Rector of Warrington is more direct on this subject: he tells you fairly, that he is alarmed for his *living*, and supports the doctrine of an Inquisition without equivocation. See his sermon on the 30th of January.

But if these Tests serve to tempt men to hypocrisy by the prospect of emoluments and honours ; if they deny to the enlightened and the honest, an opportunity of serving their country in those stations to which their talents are adapted ; if they engender among the members of a state, animosity, bigotry, and suspicion, no wise or good government can long suffer them to constitute a part of its established system. Let men be classed in society not according to their speculative opinions, but to the level to which their abilities and their virtues will enable them to ascend. Let the operations of reason be unfettered, either by positive or negative restraints, and no injury will, or ever can be sustained by any constitution that is friendly to the happiness of man. Tests of conformity and other restrictions on the liberty of conscience, operate like insults, they degrade the mind in its own esteem, and force it to recover its level ; and from hence have arisen those disorders in society which have furnished to the historian a theme of eloquent description, and to the moralist a topic of pathetic lamentation.

It is neither consistent with philosophy nor candour to charge any body of men with those absurdities in opinion, or those extravagancies in practice, by which their ancestors may have been distinguished. Before the minds of men are enlarged by those comprehensive views of policy and religion, which can only be acquired by an impartial attention to first and general principles, their conduct is more influenced by the impulse of passion than the decisions of reason ; more by those prejudices which result from education, connections, and habit, than a liberal regard for truth and justice. The tyranny of power engenders resistance in the oppressed ; and the ruder passions, when roused into action, operate like patriotism ; hence that violent contention which was maintained by our ancestors against a lawless authority both in church and state. Measures which at first were suggested by resentment, were afterwards adopted upon principle ; and the struggle they supported, and the generous sacrifices they made, ~~to~~ accomplish the glorious plan of freedom, will command the respect of a grateful posterity. Honourable would it have been to their memory, had they judged of
what

what was due to the rights of others, with that superior genius which directed them to decide, and animated them to support, what was due to their own ; but the feelings of resentment for unmerited oppression, united with that bigotry which is generated by ignorance, prevented them from discerning what, to the mind of a modern philosopher, or an enlightened patriot, may appear with the simplicity of an axiom. Reason is the gift of heaven--knowledge is the fruit of experience--and it is only when the mind is enlarged from prejudice, by a liberal and attentive contemplation of the nature and relations of man, that the principles of universal toleration will be found to prevail: Nor shall we fail to regard the virtues of our ancestors with reverence, and their errors with candour, when we reflect, that by many at this enlightened period, the principles of public freedom and the rights of man, are neither comprehended in speculation nor maintained in practice. Odious and ungenerous distinctions are still countenanced by law, which justice and sound policy, when they are impartially consulted, will no longer suffer

fer to exist. A more enlightened reason, and a more mild and generous spirit, cherished by religion and philosophy, may shudder at the remembrance of those laws which inflicted *directly* a punishment on religious opinions, and conducted many an honest citizen to prison, to torture, and to flames : And yet the same arguments are adduced in support of an exclusive Test, which have ever been employed to justify the horrors of a Popish or Protestant inquisition. The spirit of persecution is awed by the spirit of the times ; and the feelings of a humane and generous heart will not permit men to execute what the theory of their understandings tends directly to support. In a country which boasts of its civilization and freedom, we exhibit the remarkable example of a people degraded and punished without the imputation of offence ; but the voice of truth and justice will at last be heard ; and though our application to Parliament has again been rejected, (and not a Dissenter in the kingdom expected it to succeed,) yet, however, for the honour of our country we might have been elated with success, we certainly shall not be depressed

by defeat; we shall still endeavour, by firm, temperate, and constitutional measures, to accomplish a repeal of the Sacramental Test; and, without regarding the terrors of the weak or the clamours of the selfish, we shall leave it to be determined by a generous and enlightened nation, whether we are influenced by a turbulent ambition, and a spirit of factious resistance to legal institutions, or by a just and honourable purpose of obtaining the restitution of our violated rights.

A clear unblemished character comprehends not only the integrity that will not infringe on the rights of others, but a spirit that will not submit to the usurpation of its own; and whether it belongs to an individual, or a community, it is the foundation of peace, of honour, and of safety.

POSTSCRIPT.

POSTSCRIPT.

FROM a cursory attention to the speech which Mr. Pitt is said to have delivered in Parliament (March 2d), against a repeal of the Test Laws, it appears, that the grand objection, on which he rested his opposition, was the danger to be apprehended from any innovation; so said the *Jew* to Christ, and the Heathen to his followers; so say the disciples of Mahomet in Turkey, and the worshippers of the Lama in Thibet; so said the Hierarchy of Rome, when Luther boldly opposed the conclusions of reason to the decisions of authority. There is no maxim that has ever been more fondly embraced by the tyranny, the folly, and the indolence of man, than the danger of adopting innovations. Had our ancestors defended this doctrine with the same uniform energy with which it has been supported by the eloquence of two British Senators in the 18th century, our priests would, at this moment, have been Druids, and the followers of a
pure

pure and benevolent institution would be prostrate before the bloody altars of Thor and Woden. Another objection of Mr. Pitt's to a repeal of the Test, arises from the danger of committing power to Dissenters:— This is surely a very extraordinary argument to be urged by a man who has expressed his admiration of their integrity and their talents; and the insinuation it conveys, without any positive charge against their principles or their manners, is indirect defamation.

“ Omnia formidant, formidantur tyranni.”

) The remainder of his speech seems to have been an amplification of those arguments, which I hope are sufficiently obviated in the above remarks. To repeal the Test, it seems, would dissolve the alliance between the Church and State. Had this country a national church interwoven with its civil constitution before the Test Act was framed? Was the Test Act originally designed to exclude Protestant Dissenters from offices of trust? Was not their exclusion a temporary, though a generous sacrifice to public expedience? Have the Dissenters, since the Test Act

Act was adopted, discovered any thing in their principles, or their manners, to justify its extension to them? Has the Sacramental Test been abolished in any country where it once existed, and where this supposed alliance continues to exist, without the alliance having sustained any injury?

Mr. Pitt, by answering these questions like an honest man, will give an answer to himself. But whatever power the Church may be allowed to possess from its alliance with the State, he must either be an imprudent advocate, or a treacherous foe, who shall assert that oppression is necessary to its existence: Truth appeals to the understanding; error is propagated by force; and the power that asserts a right to *disable* for opinions, asserts a right to *exterminate* for opinions.

The History of this statesman will furnish an instruction to his successors of the danger of mistaking capacity, for knowledge; of eagerly pressing into the first offices of state, while the talents are yet but in blossom--- and the importance of connecting address and facility in business with a grand comprehensive

hensive view of those first and general principles, from which the improvement and happiness of civil society must be ultimately derived.

The frantic declamations of Mr. Burke on the repeal of the Test, and the revolution in France; his violent censures, which have neither dignity nor moderation; (if there are a few who, through the partiality of private friendship, are not yet disposed publicly to question the integrity of a man, who once affecting to be the friend of freedom, now comes forward with his honest and deliberate opinion, that all social rights have their source *in*, and may be justly controulable by positive law,*) they must at least allow that they afford an example to contradict a proposition, which, by long experience, has grown into credit—that a power of comparing our ideas, and distinguishing between truth and falsehood, will gradually become more comprehensive and clear, as the fervours of fancy shall subside—Mr. Burke, in this instance, violates the

* The beautiful theory of Mr. Hobbes, and Muley Molock, Emperor of Morocco.

the character of age-----his imagination is *active*, while his judgement is *extinct*.

The history of Mr. Burke is really a curiosity of its kind. We have seen him at one time directing the most virulent invectives against the person of his Sovereign ; at another, with all his mother's softness, weeping at the remembrance of his generous virtue ; at one time presenting the shield of his eloquence to guard the grossest speculation from public justice ; at another, exerting the whole strength of his faculties to expose it to the vengeance of his country. To the extent and brilliancy of his genius every man of taste will pay a tribute of applause ; but what are we to think of his wisdom ? Or, has he not hazarded something infinitely more important than the character of his understanding ? His imagination has given him an unlimited command over the most beautiful images, both in nature and in art ; but deficient in those powers which should direct the operation, and controul the excursions of fancy, though his eloquence has sometimes arrested the attention of the House, it has
feldom

feldom been heard with conviction;—the coruscations of lightening may please by their novelty, their splendour, and their beauty, but the steady light of Heaven guards us from danger, and conducts us on our way.

FINIS.

